Holding departmental enquiries on minor charges —
Need for avoiding the —

GOVERNMENT OF MAHARASHTRA,
General Administration Department,
Circular No. CDR-1176/ 6927/207-XI
Sachivalaya, Bombay- 400 032,
Dated the 18th December 1976.

CIRCULAR OF GOVERNMENT

Recently a few cases came to the notice of Government where full-fledged Departmental Enquiries have been ordered even though the charges were such that minor punishments would have met the requirements of the cases. In one case a Government Officer was alleged to have used a Government vehicle for his private use for eleven kilometers without obtaining the prior permission of the competent authority.

2. The attention of all Heads of Departments is invited to the standing instructions of Government that whenever Departmental Enquiries are ordered a certificate has to be issued to the effect that the procedure under Rule 55-A of the Civil Services (Classification, Control and Appeal) Rules would not suffice and that a departmental enquiry is essential. An elaborate Departmental Enquiry is to be ordered only when a major punishment like dismissal, removal or reduction is prima facie warranted by the charges. In this connection Government Circular, General Administration Department, No. CDR-1173/15720-D.1, dated the 22nd November 1973 may be seen.

3. Disciplinary proceedings will be effective only if they are expeditiously completed. Swift action will have a far more deterrent effect than prolonged and protracted proceedings. To resort to such proceedings when the punishment can be foreseen to be minor is to blunt the effectiveness of Departmental Enquiries on the one hand and to burden the Enquiry Officer on the other. The Departments of the Secretariat and all Heads of Departments under their respective administrative control are once again instructed to study the charges carefully and order a departmental enquiry only if they are satisfied that the charges are grave enough to call for imposition of one of the major penalties.

4. The Special Officers for Departmental Enquiries and all Heads of Departments under the various Departments of the Secretariat should review the pending cases of departmental enquiries and see whether they involve charges where minor penalties are adequate. They are requested to send to General Administration Department a statement of cases in which minor punishments are adequate. The statement may be sent in the following proforma to the General Administration Department latest before the 28th February 1977.

The Heads of Departments should not show cases entrusted to the Special Officer for Departmental Enquiries in the statement.

PROFORMA

Statement of Departmental Enquiries in which minor punishments are adequate.

Department :-

Name of the delinquent	Nature of the charge	Date when departmental enquiry was sanctioned	Name & designation of the Enquiry Officer	Remarks if any.

By order and in the name of the Governor of Maharashtra,

(V. T. CHARI)
Secretary to Government,
General Administration Department.

To

The Secretary to the Governor,
The Secretary to the Chief Minister,
*The Prothonotary and Senior Master, High Court, Bombay.
* The Registrar, High Court, Appellate Side, Bombay,
* The Registrar, Office of the Lokayukta and Upa-Lokayukta, Bombay,
The Special Officer for Departmental Enquiries, Bombay,
The Special Officer for Departmental Enquiries, Bombay and Pune Divisions, Pune,
The Special Officer for Departmental Enquiries, Nagpur and Aurangabad Divisions, Nagpur,
All other Heads of Departments under the several Departments of the Secretariat,
All Departments of the Secretariat.

* By letter.
